

PA-01 Member of Congress Tracking Report - 03/10/19

This is a 100% volunteer effort brought to you by a handful of progressive Democrats and Independents who share a vision of an informed electorate. We want to offer a big thank you to the Pennsylvania Together and Pennsylvania Statewide Indivisible organizations who host our report and help us share it out to the residents of our Commonwealth!

Tracking Congress in the Age of Trump

The lower the number, the more the legislator votes in opposition to the Trump agenda.

Member of Congress	This week's score	Change from last report
Senator Bob Casey (D)	31.5%	0.0%
Senator Pat Toomey (R)	88.8%	0.0%
PA-01 Rep. Brian Fitzpatrick (R)	73.5%	+0.3%

Nate Silver's [FiveThirtyEight website](#) assesses the voting records of our MoCs to provide this index, by noting any bills where President Trump has stated a position, and comparing the vote of the legislator to that opinion. The only vote scored this week was on the House ethics/election reform package, H.R. 1.

Want to see exactly what votes went into giving your MoC the numbers above? Click on the name of any legislator and you will be brought to their 538 webpage, where all of the positions that went into the index are listed in an easy-to-read format.

Words From Our Founders

"The Citizens of the United States of America have a right to applaud themselves for having given to mankind examples of an enlarged and liberal policy: a policy worthy of imitation... For happily the Government of **the United States, which gives to bigotry no sanction, to persecution no assistance** requires only that they who live under its protection should demean themselves as good citizens, in giving it on all occasions their effectual support."

— [George Washington](#), 1790

(his usage of the word 'demean' is not similar to the current definition, but means 'to have the demeanor of' or 'comport')

NOTE! We have highlighted some fascinating tweets and comments from Fitzpatrick that bear careful reading, if you have the stomach for it.

Votes of Interest -

Ethics Reform Passes the House

[House Vote](#) on H.R. 1, the For the People Act of 2019

This is the signature effort of the first 100 days of the 116th Congress, with sections to improve voting rights, fix campaign finance regulations, and mandate ethics and accountability reforms. For a more detailed analysis of the contents of H.R. 1, please see this [MoCTrack write-up](#) from January.

After many hours debating dozens of amendments, the bill came up for a final vote on Friday, March 8, 2019. It passed, 234-193. This was a strict party line vote. **Fitzpatrick voted NO.**

With the House in Democratic hands, it was a foregone conclusion that this package would pass. What is far more telling about our legislators' individual political philosophies is how they voted on a number of amendments to this package. Well over 50 amendments were offered to this bill. Most of those were voted up or down by voice vote, which means that there was near unanimous sentiment. But six items were divisive enough to warrant roll call votes. Let's look at those.

- Amendment 3 was offered by Rep. Jamie Raskin (D-Md.) - this would keep corporations from donating money to campaigns unless the business had established a process for "determining the political will" of its shareholders. [Link to text](#); [Link to vote](#). This amendment was agreed to, in a vote of 219-215. In Pennsylvania, this was a strict party-line vote, with Democrats all supporting it, and Republicans all opposing it. **Fitzpatrick voted NO.**
- Amendment 5 was offered by Rep. Tom Cole (R-Okla.) - this amendment is a complicated bit of work. On its face, this would stop the disclosure of defense contractor contributions as a condition for submitting a bid for federal contracts. Rep. Cole presented this as a manner of fighting the "pay to play" culture... which sounds good. But Rep. Zoe Lofgren (D-Calif.) countered that by making an exception to contribution reporting for defense contractors, instead of fighting pay-to-play, it actually "makes it harder for voters to follow the money when it comes to government contractors and political spending." (taken from [this segment Congressional record](#), page 95) [Link to text](#); [Link to Vote](#). This amendment failed, 199-235. In Pennsylvania, this was another party-line vote, with Republicans all supporting it, and Democrats all opposing it. **Fitzpatrick voted YES.**
- Amendment 23 was offered by Rep. Ayanna Pressley (D-Mass.) - this would lower the voting age from 18 to 16 for federal elections. [Link to text](#); [Link to vote](#). This amendment failed, 126-305. The only Pennsylvanian MoCs who supported this amendment were Rep. Boyle of PA-02 and Rep. Evans of PA-03. **Fitzpatrick voted NO.**
- Amendment 24 was offered by Rep. Mark Green (R-Tenn.) - this included speech relating to the first amendment, and closed with the statement "Political speech, including the financial contributions to political or issue advocacy campaigns, is a vital part of our Nation's free exchange of ideas and avenues of free expression must be preserved and protected." This amendment can easily be construed as whether or not a representative supports the aims of the SCOTUS Citizens United decision, though it does not use that wording. [Link to text](#) (see pages 7-8), [Link to vote](#). This amendment failed, 200-233. In Pennsylvania, this was a party-line vote, with Republicans all supporting it, and Democrats all opposing it. **Fitzpatrick voted YES.**
- Amendment 31 was offered by Rep. Warren Davidson (R-Ohio) - this amendment was a [debate and exchange](#) (page 16-17) between the MoC who introduced it and Rep. Lofgren about the benefits of automatic voter registration. Rep. Davidson argued for exempting states that had already made some steps towards expansion of the franchise by arguing that the bill was "an aggressive mandate in a bill full of aggressive mandates" while Rep. Lofgren countered that no one should be exempted, and the bill without the amendment to exempt states "sets a national standard for voter registration and access to the ballot in Federal elections." [Link to text](#); [Link to vote](#). This amendment (to exempt some states from voter registration requirements) failed, 194-238. Here in PA all of the Democrats voted against this amendment, and they were **joined by PA-01's Rep. Brian Fitzpatrick who also voted NO.** All other Republicans in PA voted yes.
- Amendment 32 was also offered by Rep. Warren Davidson (R-Ohio) - this amendment would remove the portion of H.R. 1 that required the Securities and Exchange Commission to publically share information about political contributions made by public corporations. Rep. John Sarbanes (D-Md.) spoke out against the amendment, and in defense of keeping the provision in the bill, stating "The SEC is there to protect shareholders. It is there to protect the public. That is the purpose of that agency. Within the basket of things and measures that it can do to protect the public is to promote this kind of disclosure." And Rep. Sander Levin (D-Mich.) also spoke in favor of leaving in the text (opposing the amendment), stating "We need fundamental rules to make sure there is sunshine in this area." [Link to text/debate](#) (pages 18-19); [link to vote](#). This amendment failed, 195-237. All of the Democrats and PA-01's **Rep. Brian Fitzpatrick voted against this amendment.** All other Republicans in PA voted for this amendment.

Here's what our PA MoCs are saying about H.R. 1 (if you don't see an MoC listed, they didn't make a statement on their website, Facebook or Twitter between 03/06/19 and 03/09/19):

□ **Senator Bob Casey, 03/08/19, via [Twitter](#):**

"Glad to see my House colleagues passed H.R. 1, a sweeping anti-corruption measure that will limit money in politics and expand voting rights. I will support the Senate version and urge the @senatemajldr to bring it up for a vote."

□ **PA-01's Rep. Brian Fitzpatrick, 03/08/19, via [Twitter](#):**

"THREAD: As an FBI Special Agent and National Supervisory for the FBI's Political Corruption Unit, I oversaw corruption investigations for the entire nation, at all levels of government. I saw firsthand what was broken in the system, and what was needed to fix it. The overall impact of the H.R. 1 legislation being advanced by House Leadership will simply not get the job done. First, it is my firm belief that all laws passed by Congress must apply equally to its members. H.R. 1 fails to do this, instead carving out various exceptions for Members of Congress in the areas of public disclosure and campaign finance. Moreover, it would inject hundreds of billions of dollars in taxpayer funds into a political system that is already drowning in cash. Worse yet, it permits the use of taxpayer funds for the advancement of hate speech by fringe groups on the far right and far left, and permits the use of taxpayer funds for more false and misleading TV ads, robocalls, mail, etc., which Americans are already sick and tired of.

The legislation that I introduced yesterday, the "Nonpartisan Bill For The People," takes the positive provisions of H.R. 1, such as gerrymandering reform, public disclosure of donors and expanded ballot access, and it removes the provisions that just inject more money into the system, and it removes provisions that will just lead to more corruption. Moreover, my legislation adds additional provisions that will abolish congressional pensions, promote single-issue legislation, impose term limits on all Members of Congress, open primary elections to all voters, prohibit Members of Congress from being paid during a government shutdown, and prohibit Members of Congress from being paid unless they pass a budget. Incredibly, none of these provisions are contained in H.R. 1 being advanced by House Leadership. My legislation does contain these critical provisions and is the Bipartisan path forward, and our Bipartisan Problem Solvers Caucus will work together to advance these individual measures that will fix, not perpetuate, a broken system. Read more about the Nonpartisan Bill for the People [here](#)"

□ **PA-02's Rep. Brendan Boyle, 03/08/19, via his [website](#):**

"Today, the House of Representatives made a clear statement: We will return the control of our democracy to the American people. I was proud to help shape several provisions of the For The People Act that will make it easier for our citizens to vote, end the dominance of big money in elections, and combat corruption among elected officials. Democrats promised to clean up the culture of corruption that has plagued Washington. The passage of this bill is a landmark step to doing just that. Only then can we restore the public's faith in our democracy, and make this institution work for the American public rather than special interests: from raising wages and making health care more affordable, to protecting the environment."

□ **PA-03's Rep. Dwight Evans, 03/08/19, via [Twitter](#):**

"Today I voted for a major government reform package, #HR1, that includes provisions to restore and protect voting rights and to make it easier to [vote](#). #ForThePeople"



□ **PA-04's Rep. Madeleine Dean, 03/08/19, via [Twitter](#):**

"We did it! Moments ago my @HouseDemocrats colleagues and I passed sweeping reforms for our country's electoral process with the #ForThePeople Act. Here are some of the highlights:

- Automatic Voter Registration
- Lift up small-dollar donors
- Reduce big money influence

#HR1"

□ **PA-05's Rep. Mary Gay Scanlon, 03/08/19, via [Twitter](#):**

"Civil rights and voting rights hero Rep. John Lewis spoke from the floor on #HR1:

'We were beaten, tear gassed...as we marched for voting rights. I've told this story before -- I know our work is not finished...If not us, then who? If not now, then when?' #ForThePeople

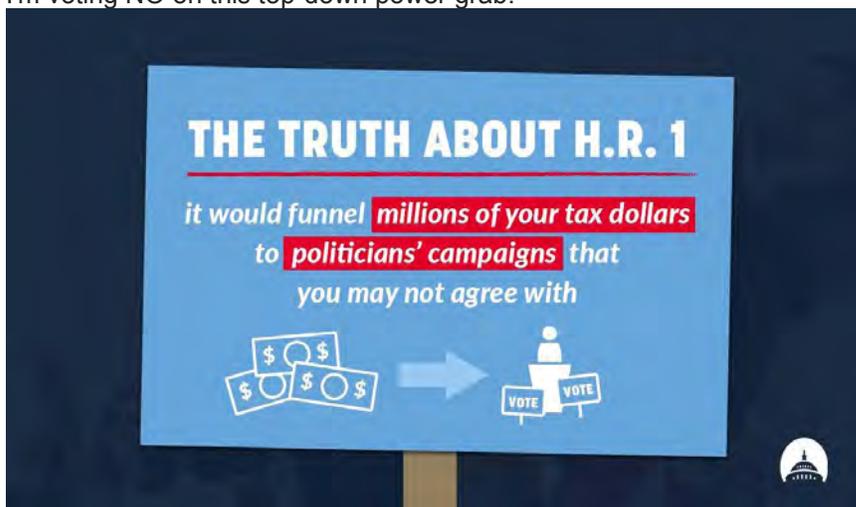
"The right to vote is not a democrat or republican issue, it is an American one. A vote is an opportunity to be on the right side of history." -@repjohnlewis #ForThePeopleAct

The American people put their trust in us to champion our uniquely American creed - a government "of the people, by the people, and #ForThePeople. Today, we made good on that promise and took a major step in restoring faith in our democracy.

#HR1 PASSED THE HOUSE!"



- **PA-06's Rep. Chrissy Houlahan, 03/08/19, via [Twitter](#):**
 "About to go live on Fox! So proud to have just cast my vote for #HR1 that included my amendment to expand early voting! PA voices need to be heard, and expanding early voting is an important first step in increasing access to eligible voters. #ForThePeople"
- **PA-07's Rep. Susan Wild, 03/08/19, via [Twitter](#):**
 "It's a beautiful day for democracy.
 My legislation to require early voting passed as a key piece of #HR1.
 Key to participating in our democracy is the right to vote - which is more accessible to all w/ early voting & expanded access to the ballot box." [shared with a link to her longer [statement](#)]
- **PA-09's Rep. Dan Meuser, 03/08/19, via [Twitter](#):**
 The Congressman retweeted content from Allentown's WFMZ @69News that read "@RepMeuser cites #Lenhartsville, #BerksCounty, in House floor speech opposing election reform bill. <http://WFMZ.com/1054116637> #HR1." The tweet includes a link to a WFMZ article titled "[Meuser cites Lenhartsville in opposing election reform bill](#)"
- **PA-10's Rep. Scott Perry, 03/07/19, via [Twitter](#):**
 "H.R. 1, the For the People Act is anything but. Aside from all that is wrong with the underlying proposal, less than two percent of the House had an opportunity to openly debate the bill in a markup. <https://cs.pn/2STHGbu>"
- **PA-11's Rep. Lloyd Smucker, 03/08/19, via [Twitter](#):**
 "@SpeakerPelosi's H.R. 1 (AKA the Democratic Party Protection Act) uses YOUR hard-earned taxpayer \$ to line the campaign coffers of people you may not even support. Millions of your dollars spent -- all to keep politicians in office. I'm voting NO on this top-down power grab."



- **PA-13's Rep. John Joyce, 03/08/19, via [Twitter](#):**
 "The people of PA-13 expect me to provide them with more control over their hard earned dollars, but H.R. 1 would force them to donate to political candidates and causes they may not agree with. I

strongly opposed it today. Read my full [statement](#) →”



□ **PA-14's Rep. Guy Reschenthaler, 03/06/19, via [Twitter](#):**

The Representative retweeted content from Minority Leader Kevin McCarthy that reads, “Democrats did not design #HR1 to protect your vote. They designed it to put a thumb on the scale of every election in America and keep the Swamp swampy.” It is accompanied by an embedded [video](#).

□ **PA-15's Rep. Glenn W. Thompson, 03/08/19, via [Twitter](#):**

“HR 1 #PoliticianProtectionAct violates constitutional rights under 1st Amendment by expanding definition of political speech & increases power of federal government to control it. Changes the makeup of FEC giving democrats ability to silence speech with which they disagree. HR 1 is better named #PoliticianProtectionAct creating a 6:1 government match to any small donor contributions of \$200 or less in congressional/presidential campaigns & new voucher pilot program that grants eligible voters \$25 in #taxpayer money to donate to anybcampaign #BadBill HR 1 which amounts to the #PoliticianProtectionAct disregards state #voteridentification laws by allowing sworn statements to be used in place of identification & allowing for signature verification, which can be submitted through a photo if the voter registers online.

Democrats today seek to weaponize our voting system with HR 1 the #PoliticianProtectionAct. This weakens the voting system of American people by increasing election system's vulnerability & failing to implement necessary checks and balances regarding who is registering to vote”

□ **PA-16's Rep. Mike Kelly, 03/08/19, via his [website](#):**

“While it is a worthwhile goal to improve our political process, H.R. 1 does the opposite. It ignores the Constitution by infringing on the right of states to administer elections, chills political speech, and infuses more money into politics by spending hard-earned taxpayer dollars on political campaigns. Encouraging participation in elections does not require centralizing control over the process in Washington. Neither is that goal achieved by Congress requiring taxpayers to fund the campaigns of politicians they do not support. Furthermore, for those of us committed to solutions that would reduce and hopefully eliminate voter fraud, the so-called “For the People Act” is cause for grave concern.

The fact that this was the first bill introduced in the 116th Congress and the primary legislative goal for the House majority is telling. This is the Tale of Two Congresses. During the last Congress, H.R. 1 was the Tax Cuts and Jobs Act, which has led to unprecedented economic, job, and wage growth. That was our primary goal, and we are proud of it. Democrats have signaled to America that their primary goal is to give Washington more power and to stack the election process in their favor.”

□ **PA-18 Rep. Mike Doyle, 03/08/19, via [Twitter](#):**

“As a cosponsor of #HR1, I proudly voted in favor of this bill which expands access to the polls, brings transparency to our campaign finance laws, and make ethics rules tougher and more enforceable. It is time to reform our government #ForThePeople.” [shared with a link to an article in *The Hill* titled [“House passes sweeping electoral reform bill”](#)”

Anti-semitism vote in the House

[House Vote](#) on H. Res. 183

Editor’s note from Kierstyn - this is a somewhat difficult topic for me to recap dispassionately, as I am a person of Jewish descent, and on issues related to anti-semitism, I am incapable of being unbiased. With that in mind, as a set up to the the resolution and vote, I’m sharing an excerpt from the [“What a Day” Crooked Media newsletter](#), as I believe that of all the media coverage of this situation, they do the best job of capturing the nuances.

The House [voted] on another resolution condemning antisemitism, this time [stemming from comments](#) Rep. Ilhan Omar (D-MN) made at a book event in Washington, DC, this past weekend.

“I want to talk about the political influence in this country that says it is OK for people to push for allegiance to a foreign country,” Omar said.

It is the second instance in which Omar’s comments about the U.S.-Israel relationship have invited condemnation from both Democrats and Republicans.

Depending on one’s perspective, this is either evidence that she is steeped in the idioms of antisemitism, if not an outright antisemite, or that she is right, and powerful forces in Washington have made it impossible for American politicians to freely, and in good faith, criticize Israel on democratic and human-rights grounds.

But both things can actually be true.

- **Omar’s language is a problem, even if it’s not a symptom of underlying bigotry**, because antisemites have long used accusations of Jewish disloyalty and shadowy influence to stoke hatred of Jews and brutalize them. She’s a member of Congress—a Democratic member of Congress—and should thus be more fluent in the kind of language that racial and ethnic minorities in the U.S. interpret as hateful code.
- **But it’s worth pausing to consider what would have happened if Omar had criticized the Israeli government, AIPAC, and their influence on U.S. lawmakers** without using any controversial language. AIPAC’s whole purpose as a lobbying organization is to pressure lawmakers to prioritize the U.S.-Israel alliance, even above competing U.S. interests and values. For instance: It has supported legislation that would allow states to punish entities that boycott Israel on human-rights grounds, in clear violation of the first amendment to the U.S. Constitution. That is undeniable, and yet if Omar had explained her concerns in these terms, it’s likely she would’ve been accused of antisemitism anyhow.
- **That’s in large part because Republicans, who unambiguously tolerate antisemites in their ranks**, would have pretended to find her positions antisemitic no matter how she phrased them. AIPAC would have objected as well, and the dialogue would have been closed down regardless. Supporters of the Iran nuclear deal are familiar with how this kind of bad-faith political pressure operates.

This is a problem not just for Ilhan Omar or Democrats who have misgivings about Israel, but for the majority of U.S. Jews, whose concerns about Israel’s human-rights record and right-wing lurch are frequently glossed over by people who claim to speak for

all Jews when they attack critics of Israel. The language of the Democratic resolution is unobjectionable, and it's a fine thing for the House to pass. But while they address Omar's language internally, Democrats should also put some thought into how to normalize legitimate criticism of the U.S.-Israel relationship within the Congress, because letting Republican bad faith and hypocrisy shape the boundaries of Democratic politics is a fool's errand.

The House voted upon the resolution on Thursday, March 7, 2019. The vote was taken under a suspension of the rules, so that a 2/3 supermajority would be needed to pass. The final vote was 407-23, with one member voting "present." Pennsylvania's Congressional delegation was unanimous in support of this resolution, this **Fitzpatrick voted YES**.

All of the people who voted No were Republicans. Rep. Liz Cheney (R-Wyo.), the House Republican Conference Chair, explained her no vote to [CNN](#), saying that the resolution:

...did not address the issue that is front and center...For Democratic leadership to kowtow to their radical members and refuse to offer legislative language that criticizes Rep. Omar's statements in the strongest possible manner confirms what we already knew: that their party is controlled by far-left extremists who can't even muster the courage to stand up to blatant anti-Semitism.

Rep. Cheney also called the resolution a "sham". However, review of the text of the resolution refutes the content of Rep. Cheney's statement. Congress.gov has the updated version of the [text of the resolution](#), as passed. This includes passages that specifically reference the tropes that Rep. Omar touched upon in her comments, such as "whereas accusing Jews of being more loyal to Israel or to the Jewish community than to the United States constitutes anti-Semitism because it suggests that Jewish citizens cannot be patriotic Americans and trusted neighbors, when Jews have loyally served our Nation every day since its founding..." and "Whereas accusations of dual loyalty generally have an insidious and pernicious history." If anything, the Republicans who voted against this resolution were likely unhappy that the language does not call out Rep. Omar by name, when the [resolution rebuking Rep. Steve King](#) (R-Iowa) from January did cite him specifically. Rep. King was the only person who voted "present."

Some of our lawmakers addressed this resolution/vote straight on, but some who didn't speak directly to the vote instead made oblique references to the fracas by highlighting their connections to related communities or events:

□ **PA-01's Rep. Brian Fitzpatrick, 03/05/19, via [Twitter](#):**

"Joined @RepBrendanBoyle and our friends in the pro-Israel community for a roundtable discussion on US foreign policy. Thanks to our friends for organizing this productive, Bipartisan discussion."

□ **PA-02's Rep. Brendan Boyle, 03/03/19, via [Twitter](#):**

"I'm not sure if my friend @keithellison will remember this but one day in 2016 in the back of the House he was lobbying me to support @BernieSanders - I said to him "Isn't that amazing?" and he just looked at me. I said, "Bernie is the first Jewish candidate to win a primary. Here you are, the first Muslim American to serve in Congress, and you're Bernie's biggest backer." Keith replied, "Wow I hadn't even thought of that." Folks, that's America at its best."

□ **PA-09's Rep. Dan Meuser, 03/05/19, via [Twitter](#):**

"I responded to some of @IlhanMN's comments during a @housebudgetGOP hearing last week" [shared with a link to a [Youtube video clip](#)]

□ **PA-10's Rep. Scott Perry, 03/01/19, via [Twitter](#):**

The Representative retweeted this content at some point between 03/01/19 and 03/07/19 - the timing is uncertain because of a Twitter quirk. The retweet reads, "ZOA stands with @RepScottPerry, who is aligned with the Jewish People in standing up for the Jewish State. If only we could say the same about @jstreetdotorg ! They never miss an opportunity to insult a friend of Israel or defend an enemy of the Jewish People."

□ **PA-11's Rep. Lloyd Smucker, 03/07/19, via [Twitter](#):**

“Three months into this Congress and Dems have had to address blatant anti-Semitism in their caucus twice already. Not sure why this is hard. Anti-Semitism is wrong, plain and simple. Why can't Dems just say that?” [shared as a comment to a retweet of a @HouseGOP [tweet](#) that read, “House Dems have had multiple opportunities to stand up against vile anti-Semitism & with each opportunity they have made excuses for Rep. Ilhan Omar’s offensive comments. Why is it so difficult to do what is right? Anti-Semitism is wrong & Rep. Omar should be held accountable.”]

□ **PA-14’s Rep. Guy Reschenthaler, 03/04/19, via [Twitter](#):**

“I am deeply concerned by Rep. Omar’s continued anti-Semitic remarks and use of age-old tropes against the Jewish people. Democrat leadership needs to take action and remove her from the House Foreign Affairs Committee immediately.” [shared with a link to a *Daily Caller* article titled “[Republicans on Foreign Affairs Committee Denounce Omar’s Israel Comments](#)”]

Awful Senate judicial confirmation, Act 1

[Senate vote](#) on the nomination of Allison Jones Rushing to the 4th Circuit, USDC

The Senate took on a whole slate of conservative judges this week, continuing their plan to pack the courts with the youngest, most right-leaning legal minds possible so as to reshape the face of the judiciary. This nominee, Allison Rushing, stands out for her youth (she’s 37), her inexperience (she’s scarcely a decade out of law school) and the fact that she interned at a [hate group](#). That’s not an exaggeration. The organization, the Alliance Defending Freedom, is classified as such by the Southern Poverty Law Center, for their commitment to the “recriminalization of homosexuality in the U.S.”

[Lambda Legal](#), the foremost legal advocates for LGBTQ issues in our nation, made the following statement about Ms. Rushing and her objectionable philosophy:

Throughout her brief legal career, Allison Rushing has supported and closely associated herself with one of the most extreme anti-LGBT organizations operating in this country today, the Alliance Defending Freedom. Rather than disqualifying her from consideration, this aspect of her record seems to have made up for all of the other deficiencies in her record, including her inexperience and lack of any meaningful professional connection to the state in which she will sit.

Her inexperience and youth did not go unremarked amidst the furor caused by her bigotry. Earlier this week, Sen Dick Durbin (D-Ill.) [tweeted](#) “Republicans just advanced the judicial nomination of 36 year-old Allison Jones Rushing for the 4th Circuit (NC). She has practiced law for just 9 years, only tried 4 cases to verdict or judgment in her career (none as lead counsel), and isn’t even a member of the NC bar.”

Despite this plethora of obvious concerns, the Senate GOP majority voted as one on Tuesday, March 5, 2019, and confirmed her with 53-44 party line vote. **Casey voted NO** and **Toomey voted YES**. And the judicial horrors were just beginning...

Awful Senate judicial confirmation, Act 2

[Senate vote](#) on the nomination of Chad Readler to the 6th Circuit, USDC

The next Trump Administration judicial nominee that would never have made it this far in ages past is Chad Readler. Mr. Readler has worked at the Justice Department under this administration and was the acting head of the civil division. In that role, he authored the brief to strike down the Affordable Care Act, including its protections for millions of Americans with pre-existing conditions. The [Alliance for Justice](#), a coalition of over a hundred progressive advocacy groups, wrote:

Throughout his career, Readler has been an ideological warrior. He professes that “[m]y day job is being a lawyer, (but) I want to work on cases that do have policy implications.”

As the acting head of the Department of Justice Civil Division under Attorney General Jeff Sessions, Readler defended the Trump Administration’s most odious policies, including separating immigrant children from their parents at the border, while claiming that

“[e]verything that the Attorney General does that I’ve been involved with he’s . . . being very respectful of precedent and the text of the statute and proper role of agencies.”

His track record is equally atrocious in other respects. He has tried to undermine public education in Ohio; supported the efforts of Betsy DeVos to protect fraudulent for-profit schools; fought to make it harder for persons of color to vote; advanced the Trump Administration’s anti-LGBTQ and anti-reproductive rights agenda; fought to allow tobacco companies to advertise to children, including outside day care centers; sought to undermine the independence of the Consumer Financial Protection Bureau; and advocated for executing minors.

The AFJ was not the only one to express vehement objection to Mr. Readler’s nomination. [Politico](#) reports that Senate Minority Leader Chuck Schumer asked his colleagues, “My Republican friends, do you want to vote for a judge who says protecting pre-existing conditions, which affect 100 million Americans, are unconstitutional? Well, that’s what you’re going to do if you vote for Readler.” Even Republican Senator Lamar Alexander had critical words for Mr. Readler, again from [Politico](#), who reported that Sen. Alexander slammed Readler’s ACA brief as “far-fetched as any I’ve ever heard.”

But packing the courts is the most important goal for this GOP-led Senate. In a vote taken on Wednesday, March 6, 2019, the nomination of Chad Readler was confirmed, 52-47. Sen. Susan Collins of Maine was the only Republican to break ranks and vote against the rest of her party. **Casey voted NO** and **Toomey voted YES**. And the GOP still wasn’t done...

Awful Senate judicial confirmation, Act 3

[Senate vote](#) on the nomination of Eric Murphy to the 6th Circuit, USDC

The last judicial nominee in this week’s trifecta of reactionary awfulness is Eric Murphy. Mr. Murphy clerked for Supreme Court Justice Anthony Kennedy, worked at the powerful law firm of Jones Day, and most recently was the Solicitor General of the State of Ohio. It was while he was in that position that Mr. Murphy defended Ohio’s anti-LGBTQ laws against gay marriage in the *Obergefell v. Hodge* case that legalized same-sex marriage nationwide.

The Leadership Conference on Civil and Human Rights wrote a [voluminous letter](#) objecting to Mr. Murphy’s nomination. Among the many subject headers in that letter (with dozens of case citations) were “Worked to Undermine Voting Rights”, “Defended Anti-LGBTQ Policies”, “Defended Anti-Immigration Actions of Trump Administration”, and “Hostile to Reproductive Freedom.” The group wrote:

Mr. Murphy, age 39, is another extreme nominee advanced by President Trump in his attempt to pack the federal courts with biased judges who lack the neutrality and fair-mindedness to serve in lifetime judicial appointments. Throughout his legal career, Mr. Murphy has attempted to weaken and restrict a broad array of civil and human rights in America. He is strongly opposed by Senator Sherrod Brown, one of his home-state senators, which would have historically stopped his nomination from moving forward.

The Senate must reject this nomination

The Alliance for Justice and Lambda Legal also expressed their objections to Mr. Murphy.

On Tuesday, March 5, 2019, the Senate voted 53-44 to confirm Mr. Murphy. This was strict party lines, so **Casey voted NO** and **Toomey voted YES**. At the announcement of this confirmation, Sasha Buchert, a senior attorney at Lambda Legal, issued a statement as reported in the [Georgia Voice](#), that said:

Today’s vote to confirm Eric Murphy was yet another example of how little concern Senate Republicans have for the safety and security of the LGBT community, and their broader disdain for civil rights,” Buchert said. “The fact that even Sen. Portman, who came out publicly in support of marriage equality, could not bring himself to vote against this nominee demonstrates the extent to which Senate Republicans have completely abdicated their duty to provide meaningful advice and consent. Our federal courts will be the worse off for generations to come.

MoC Twitter Action

Senator Bob Casey hot topics: The senator put most of his focus into oversight and legislation this week. From an oversight perspective, he centered his comments on the work he does on the Senate Aging Committee, with tweets about problems at a Pennsylvania nursing home as well sharing the details of a committee meeting about the costs of prescriptions for Medicare recipients. On the legislation front, the Senator congratulated the House for passing H.R. 1, he offered a thread on the new Net Neutrality bill and he retweeted a college newspaper article about his own anti-hazing bill. The senator still had time for some advocacy issues, and he shared his thoughts on family separation, International Women's Day, the life of Harris Wofford, and a court decision to protect the rights of students of color and students with disabilities.

Casey tweet of the week, 03/06/19: "I have never known an infant to be a threat to our national security. Treating them as such; holding them in conditions not fit for a common criminal is something for which we should all be ashamed."

— [tweeted with a link to a CBS News article titled "12 detained babies have been released from ICE custody in Dilley, Texas"](#)

Representative Brian Fitzpatrick hot topics: The representative must have a new social media person this term, because he has seriously upped his game when it comes to sharing images from his week's public relations events. He visited a museum, a St. Patrick's Day Parade committee, a fire company's annual banquet, a constituent's 100th birthday event, and a meeting of "friends in the pro-Israel community for a roundtable discussion on US foreign policy" along with many other social engagements. The representative tweeted about his newly introduced SAVE Act, which he says will lower costs and increase healthcare access, and the Violence Against Women Act reauthorization bill. He shared mugshots and an article about a fentanyl bust, and offered a 9 tweet explanation of his reasons for not supporting H.R. 1.

Fitzpatrick tweet of the week, 03/08/19: "Worse yet, it permits the use of taxpayer funds for the advancement of hate speech by fringe groups on the far right and far left, and permits the use of taxpayer funds for more false and misleading TV ads, robocalls, mail, etc., which Americans are already sick and tired of."

— [part 4 of the representative's thread on why he wouldn't vote for H.R. 1, shared with no irony whatsoever, as if his constituents could forget the fact that horrible ads on behalf of the representative's own 2018 candidacy were yanked off of the air due to their blatant lies](#)

Senator Pat Toomey hot topics: The senator only tweeted three times this week. He promoted his BRINK Act to impose more sanctions related to North Korea. Then he talked up his new bill to permanently repeal the Medical Device Tax (which is supposed to be a funding mechanism for the ACA). He closed the week with his thoughts on International Women's Day.

Toomey tweet of the week, 03/05/19: "Kim Jong-un's regime is a threat to the U.S. and our allies in Asia. @ChrisVanHollen and I joined @mitchellreports to discuss our bipartisan BRINK Act, which gives foreign banks and companies a choice: continue business with N.K. or maintain access to the U.S. financial system."

— [shared with a link to a 5 minute interview clip from MSNBC with the senator, his colleague Sen. Chris VanHollen, and host Andrea Mitchell](#)

Honorable mention, lawmaker

From @RepMGS, Rep. Mary Gay Scanlon of PA-05, on 03/06/19

"Emolument (noun) - a salary, fee, or profit arising from public office or work.

See also: bribe."

— [shared with a link to a Washington Post article titled "T-Mobile acknowledges its patronage of Trump's Washington hotel increased sharply after announcement of merger with Sprint"](#)

Honorable mention, media

From @AJHeadtoHead, the account for *Al Jazeera's* Medhir Hasan, on 03/08/19:

“Erik Prince responds that the U.S. Congress “got the transcript wrong” when asked why he didn’t tell the House Intel Committee about an Aug 2016 meeting he attended at Trump Tower. @Mehdirhasan goes 'head to head' with Erik Prince NOW @AJEnglish.”

— tweeted with a [video clip](#) of a very uncomfortable Trump associate making absurd claims that implicate himself in collusive behavior

Honorable mention, constituent response

From @madliblady on 03/08/19:

“Republicans call eliminating corruption and making it easier for people to vote a Democratic power grab thus admitting that they can only win when they can cheat and disenfranchise select voters”

— shared in response to Senator Casey’s [tweet](#) congratulating the House for passing H.R. 1

Casey in the News

“People have a sense of urgency about this issue that I have never seen and people in both parties need to recognize that. 30 million people have incomes of \$26,000 or less so they are heavily dependent on Medicare. But often they’re the ones most adversely impacted by the costs of prescription drugs.”

— from an article on the [PAHomepage.com](#) site titled “[Lawmakers Question Why Drug Prices Continue to Rise](#)”

“More Americans are continuing to work until later in life and we must recognize and address the challenges they face. We must make clear to employers that no amount of age discrimination is acceptable, and we must strengthen antidiscrimination protections that are being eroded.”

— from an article in [Go Local Providence](#) titled “[Congress Gears Up Legislative Efforts to Combat Age Discrimination](#)”

“You’ve done something that we don’t often do in Washington. You’ve been able to very clear about where you stand and bear witness to the truth, without being categorical and without being demonizing. I hope people are listening.”

— the senator thanks an 18-year-old who testified before Congress after having himself vaccinated when his parents had refused to do so while he was underaged, in a [Washington Post](#) article titled “[Senate panel warns of dangers of anti-vaccine movement](#)”

“Hazing has absolutely no place in our society or in our schools. I’m proud to join in this effort to ensure that these horrific incidents are appropriately reported and that students are educated on the dangers of hazing.”

“This is not just a Pennsylvania issue. It’s been a problem at institutions of higher educations for years. And unfortunately, like a lot of things in our society ... there’s not action in a more determined effort until there’s a tragedy. And that’s unfortunate and regrettable that it takes that kind of an incident, that kind of a tragedy to do more.”

— from an article in the [Centre Daily Times](#) titled “[‘No place in our society’: Lawmakers attempting a national hazing crackdown after Timothy Piazza’s death](#)”

Fitzpatrick in the News

“With these two regulatory actions, our constituents will be given the protection they need after so many years of inaction.”

— [the representative called upon called on the Environmental Protection Agency to designate PFAS as hazardous substances under the Superfund Act and to establish allowable limits for the chemicals in drinking water in an article in the *Pennsylvania Capital-Star* titled “Pa. U.S. Rep. Brian Fitzpatrick wants EPA to get tough in efforts to clean up toxic chemicals in drinking water”](#)

Human trafficking continues to devastate millions of lives around the world. This criminal conduct may seem a distant problem, but it is not. It exists right here in our own back yards. Traffickers use the global financial system to launder their illicit funds. Cutting off their access to the banking system is critical to putting an end to their abhorrent crimes. The End Banking for Human Traffickers Act will not only bolster our efforts to prevent human traffickers from using our domestic financial system, it sends a signal around the world to cut off traffickers from the global financial system. Today’s vote is another step we are taking to address this heinous crime.”

— [from an article in *Bucks Local News* titled “Legislation authored by Bucks County Congressman would cut off human traffickers from global financial system”](#)

“While there is still considerable work to be done, VAWA has drastically improved our nation’s response to safeguarding women from abuse and anguish. Congress has historically reauthorized VAWA with broad bipartisan agreement.”

— [from an article in the *Pennsylvania Capital-Star* titled “Pa.’s Fitzpatrick joins Pelosi, House Democrats in attempt to revive lapsed domestic violence protections”](#)

Toomey in the News

“it’s important to me that when funds are spent, that they be spent in a constitutional fashion, consistent with the congressional responsibility for that. I think the president can spend what he would like to spend, we can get to the \$5.7 billion, without having to invoke the emergency process.”

— [from an article in the *Allentown Morning Call* titled “Pat Toomey says White House can find \\$5.7 billion in border money without a national emergency”](#)

“The fact is, China has cooperated with us in some important ways. But what China does need to do is to schedule fentanyl as a broad class that is illegal. And until they’re doing that then, in my view, they’re not doing all that they can be doing. This legislation would dramatically increase the pressure on China to do exactly that.”

— [from an article in *The Citizens Voice* titled “Toomey promotes bipartisan bill to curb fentanyl imports”](#)

“The Constitution is very clear that responsibility for tariffs lies with Congress. If the president wants (tariffs) for national security, he must go to Congress and get approval.”

— [from a *TRIBLive* article titled “Toomey bill to limit Trump’s tariff power gaining support”](#)

“The specter of the re-imposition of the punitive medical device tax threatens patients, American jobs, and medical innovation. It’s time to end this uncertainty once and for all and finally repeal the medical device tax. I urge my colleagues to join this bipartisan effort.”

— from an article in the industry newsletter *Radiology Business* titled [“Legislation to permanently repeal medical device tax introduced in Senate”](#)

“To maintain public confidence in such a large commitment of national resources, it is essential to ensure these dollars are spent as Congress intended — namely, to provide specified health and long-term care services for low-income Americans, with a historical focus on the aged, disabled, children and families. Unfortunately governmental efforts to ensure Medicaid payments are spent prudently have fallen short.”

— from a letter sent by Senator Toomey and Senate Finance Committee chairman Chuck Grassley to CMS Administrator Seema Verma, as reported in the *Iowa Gazette* article titled [“Grassley criticizes lack of Medicaid payment oversight”](#)

“Kim Jong-un’s pursuit of nuclear weapons poses a threat to the United States and our allies in Asia. We have few good options to effect change in North Korea, but one is to apply crippling economic sanctions that leave the regime with no alternative but to abandon its nuclear ambitions. Our bipartisan measure is a powerful tool that gives companies a choice: you can do business with the United States or North Korea — but not both.”

— from an article in Connecticut’s *Montgomery County Sentinel* titled [“Van Hollen co-sponsors North Korean sanctions bill after summit”](#)

Legislation of Interest - the Green New Deal

Courtesy of Andrea Wittchen, Partner, [iSpring](#)

[H.Res. 109](#), a resolution “recognizing the duty of the Federal Government to create a Green New Deal,” was introduced on February 7, 2019, into the House by Representative Alexandria Ocasio-Cortez (D-NY14) and into the Senate by Senator Edward Markey (D-Mass). Unfortunately, the roll-out of the resolution was seriously compromised by the posting of a list of misleading, inaccurate and, to quote the NY Times, “pugnacious”¹ FAQs to Rep. Ocasio-Cortez’s website the same day. While the list was immediately disavowed and taken down, it nevertheless provided ammunition for critics of the Green New Deal (GND) to make false and inflammatory statements about the GND’s content.

Given all that, what actually is H.Res. 109 and the Green New Deal? The best way to understand it is to read the actual [14-page resolution](#) which is written in clear and precise language, accessible to the average citizen. It is also important to understand that this is a non-binding resolution, not a proposed law. This is explicitly stated in the first line of the resolution, “*Resolved*, that it is the sense of the House of Representatives that—.” The resolution is a statement designed to describe what the House of Representatives’ current understanding is regarding the climate crisis and to outline a framework on which to build a response.

The resolution was drafted in direct reaction to two important reports from late 2018. The first was the October 2018 report from the Intergovernmental Panel on Climate Change of the United Nations entitled “Special Report on Global Warming of 1.5° C.” The other was the November 2018 Fourth National Climate Assessment by the U.S. Government. The first sections of the GND outline the direct threats facing the United States as identified in those two reports. Importantly, those threats are not just defined as environmental, but also as economic, social and security.

The original concept of a Green New Deal was actually proposed by Thomas Friedman in a New York Times column in January 2007². In it, he posited a massive national project that he called the “Green New Deal” to supercharge the development of every form of non-fossil fuel and the implementation of nationwide conservation efforts to combat climate change.

Building on those concepts, H.Res. 109 outlines a “10 year national mobilization” focused on five GND goals:

- “Achieve Net Zero Greenhouse Gas (GHG) emissions”
- Create millions of “high wage jobs and ensure prosperity and economic security for all people of the United States”
- Invest in infrastructure and industry
- Secure for now and the future “clean air and water, climate and community resiliency, healthy food, access to nature and a sustainable environment, and
- Promote justice and equity”

The remainder of the resolution outlines in more detail the specific goals and projects that will need to be accomplished in order to meet those five top level goals. These are called the “Green New Deal mobilization” and include fourteen broad areas where action is needed.

The Green New Deal also calls out specifically the necessity of its development “through transparent and inclusive consultation, collaboration, and partnership with frontline and vulnerable communities, labor unions, worker cooperatives, civil society groups, academia and businesses.”

The GND then goes on to outline the policy requirements needed to implement the projects in the Green New Deal mobilization, such as

- adequate capital and ROI,
- comprehensive accounting for the cost of externalities,
- provision of resources, training and higher education,
- public investment in R&D in clean and renewable energy,
- participatory decision-making
- enforcement of trade rules
- protection of public lands,
- enforcement of workplace safety, anti-discrimination and wage and hour laws
- and many, many more

These speak directly to the concept of a sustainable future defined not just by the environment but also by social and economic justice. It also outlines a framework that can easily be perceived to create millions of good quality, high wage jobs in its implementation.

The boldness of this resolution is in its vision of the interconnectedness of all aspects of life. Fighting climate change, creating jobs, protecting the environment, educating and training workers, maintaining a healthy work force and citizenry, supporting innovation and research, protecting frontline and vulnerable communities, sharing equally in the rewards and benefits of an improved economy - leave any one of these out of the equation and the net result will always be “less than” – less than we are capable of. As [Naomi Klein has described it](#), the Green New Deal is our opportunity to prove that we are capable of multi-tasking, of tackling multiple overlapping crises.

Comparisons to the original New Deal, the moonshot, the interstate highway system, and World War II are all apt. In all those cases, we did not know exactly how to accomplish the goal, only that the goal was necessary and the time was now. There has been much pushback against the resolution from the predictable naysayers on, sadly, both sides of the aisle. Cries of “how will you pay for it” or “it’s too disruptive” are intended to stall us at the status quo. This resolution plants a target in the future and says we need to figure out the answers to the questions, not ignore the questions. Its value is in elevating the discussion to the top of the agenda.

It is important that progressives familiarize themselves with the details of the GND and get out in front of what will be an ugly pushback from entrenched industries and constituencies. We need to be able to define the GND as a framework, not as established law, and be sure that citizens understand how it helps everyone. For anyone with a stake in the future of this country, it should be a bright shining vision of what we can accomplish. And our lawmakers should be happy to sign on to support it. At this point the “how” is immaterial. Stating the direction and the goal is what we need and what GND does.

Senate Majority Leader Mitch McConnell has indicated that he will allow the resolution to be voted on in the Senate. He sees it as a “gotcha” moment for Democrats in precarious seats. We need to be sure that

the messaging about what the GND does and doesn't do stays accurate so that all Democrats can feel comfortable in both chambers voting in support of GND.

If you want to keep apprised of developments around the Green New Deal, you can sign up for email and text messages from Indivisible [here](#).

¹NY Times, ["The Green New Deal Is Better than our Climate Nightmare"](#), February 23, 2019.

²NY Times, ["A Warning from the Garden,"](#) January 19, 2007.

Call to Action - Support this Bill!

[H. Res. 109/S. Res. 59](#) - A resolution recognizing the duty of the Federal Government to create a Green New Deal

Andrea did a [amazing job](#) breaking down what the Green New Deal is. Now we need to let our legislators know that we support the goals of this resolution. The Senate version of the resolution has 11 co-sponsors (10D, 1I), but Senator Casey is not on that list. As for the House of Representatives, there are 89 Democrats already co-sponsoring this bill... but that list of 89 only includes one Pennsylvanian MoC - PA-02's Brendan Boyle. If you live in PA-02, please consider calling Rep. Boyle to thank him.

As for the rest of us, we should call our MoCs of both parties to express our support for this resolution. Indivisible was kind enough to provide this [sample script](#):

Caller: Hi! My name is [NAME], and I'm calling from [part of state]. I'm calling because I want to urge [MoC] to co-sponsor [H.Res.109/S.Res.59] in support of a Green New Deal.

If MoC is already a co-sponsor/says they will sign on

Staffer: Thanks for calling! [MoC] agrees that we need bold solutions like a Green New Deal to address the threat posed by the climate crisis.

Caller: Great! I'm glad to hear it—I hope [MoC] will talk to their colleagues, especially from our state's delegation, about signing on in support of the Green New Deal.

If MoC does not support the Green New Deal

Staffer: Thanks for calling. [MoC] agrees with you that climate change is an urgent issue to address. But he/she doesn't think this is the right way to go about it. We need solutions that can win bipartisan support if we're going to address as serious as climate change, and the Green New Deal isn't that.

Caller: I'm disappointed to hear that. Climate change is the most urgent challenge of our time, and supporting the Green New Deal would demonstrate that [MoC] understands the kind of action we need to take to prevent catastrophic levels of global warming. We don't have time to waste trying to get climate deniers on board; I expect [MoC] to reconsider their position.

Let's get calling, emailing and tweeting in support of the Green New Deal!

A reminder of other Call to Action bills from previous MoCTrack Reports:

- [Repairing the Voting Rights Act at the invitation of SCOTUS, to protect against voter suppression and intimidation](#)
- [Forcing the president to stand up to human rights abuses \(like the murder of Jamal Khashoggi\) and disentangling the US from the hostilities in Yemen](#)
- [Modernizing a 1988 bill about "undetectable weapons" to include new 3D printed guns](#)
- [Prohibiting the president from ordering a nuclear first strike if Congress hasn't declared war](#)
- [The Democrats' signature ethics reform package, H.R. 1](#)
- [A bill to create more IT/Cybersecurity infrastructure and oversight](#)

- [A bill to provide back pay to low-wage contractor employees](#)

Thanks for reading up on what our Pennsylvania Members of Congress have been doing this past week. We're delighted to have you as a reader. If you liked what you read here and think others need to keep up with our MoCs, please share our website - <http://www.patogether.org/congress.html> Or you can head over to Twitter and search for #MoCTrack and retweet what you see there.

This report brought to you by the PA-01 MoCTrack team...

Elayne Baker

Gary Garb

Kathy Sikes

Andrea Wittchen

Kierstyn Piotrowski Zolfo

Are you an introvert activist looking for ways to help a progressive effort that don't involve phone calls, door knocking, or leaving your house? We are always seeking additional assistance. Our Congresspeople are always busy and there is always more for us to cover — tasks big (example - what traditional media is saying about your MoC) and small (example - what's your MoC tweeting about) to fit any level of time commitment or experience. Can you help us out? Please email KierstynPZ@gmail.com and put "MoCTrack Help" in the subject. Thanks!